

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1628 – HB 2136

February 8, 2016

SUMMARY OF ORIGINAL BILL: Authorizes Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) beds to be filled by an individual currently enrolled in one of the home and community based services (HCBS) waivers or an individual from the waiting list for individuals with intellectual disabilities. Authorizes, in the event of a developmental center closure, the remaining beds necessary to establish the four-person home to be filled by individuals currently enrolled in one of the HCBS waivers or the waiting list for IID, if fewer than four persons transitioning have selected a provider.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (011919): Deletes all language in the bill that references individuals “currently enrolled in one of the home and community based services (HCBS) waivers” and replaces each with the language “currently enrolled in one of the home and community based services (HCBS) waivers for individuals with intellectual disabilities”.

Deletes the provision of the bill that requires the Department of Intellectual and Developmental Disabilities (DIDD) to demonstrate a commitment in assisting providers in locating referrals by obtaining a written statement from the conservator of every eligible service recipient indicating that they have been fully informed of the community ICF/MR facilities and the specialized services they provide, and replaces it with a new provision that requires DIDD to demonstrate a commitment to ensuring the individual’s freedom of choice and ensure that every eligible service recipient is fully informed of all services available to them, including community ICF/MR facilities and the specialized service they provide.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Based on information provided by the DIDD, if a person who has an intellectual disability moves from a HCBS setting into a privately-operated ICF/IID setting, the funds supporting that individual in the HCBS setting will be made available to fund a

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different individual with an intellectual disability from the waiting list eligible to receive HCBS services.

- According to the Bureau of TennCare, new beds are initially filled with individuals transitioning from developmental centers and the funding to provide their services moves with them into the ICF/IID setting. Upon the death of a person who has transitioned, the funding for that individual would be available to support another individual within the ICF/IID facility.
- According to DIDD, private ICF providers are currently requesting certificates of need to construct 16 four-person ICF/IID homes for those individuals transitioning out of Greene Valley Developmental Center.
- In the event an individual moving from the Greene Valley Development Center chooses waiver services instead of a private ICF/IID bed, DIDD estimates three people in one year who are currently in waiver services could move to any available ICF/IID beds due to inability to continue to be supported under the new annual individual expenditure cap on HCBS waiver services at \$154,289.15 for 2016.
- The Governor's Budget for FY16-17 fully funds 66 private ICF/IID beds.
- The total number of individuals receiving services within the ICF/IID or HCBS waiver settings at any given time will not significantly change; therefore, any fiscal impact is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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